

ALEX G. TSE (CABN 152348)
Attorney for the United States
Acting Under the Authority Conferred by 28 U.S.C. § 515

HALLIE HOFFMAN (CABN 210020)
Chief, Criminal Division

AMIE D. ROONEY (CABN 215324)
MATTHEW A. PARRELLA (NYBN 2040855)
Assistant United States Attorneys

150 Almaden Boulevard, Suite 900
San Jose, California 95113
Telephone: (408) 535-5061
FAX: (408) 535-5066
Amie.Rooney@usdoj.gov

Attorneys for United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	NO. 19-CR-00056-EJD
)	
Plaintiff,)	STIPULATION AND [PROPOSED] ORDER
)	CONTINUING STATUS CONFERENCE
v.)	
)	
JIZHONG CHEN,)	
)	
Defendant.)	
)	

IT IS HEREBY STIPULATED AND AGREED between the United States and defendant JIZHONG CHEN, by and through undersigned counsel, that the status conference now scheduled for July 18, 2019, be continued to September 23, 2019, at 1:30 p.m. The reason for the stipulated continuance is so that defense counsel may continue to prepare, including by reviewing the additional discovery in the process of being produced. Since the parties last appeared the government has produced additional discovery, and the parties anticipate multiple additional discovery productions in the intervening time period. The United States will also respond to requests for examinations of physical evidence expeditiously.

1 Further, the parties hereby stipulate that the time period from July 18, 2019, to September 23,
2 2019 should be excluded under the Speedy Trial Act pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv)
3 to further the interest of justice, and to promote the continuity and effective preparation of counsel,
4 taking into account the exercise of due diligence. Failure to grant the continuance would deny the
5 defendant continuity of counsel and deny counsel reasonable time necessary for effective preparation,
6 taking into account the exercise of due diligence, per 18 U.S.C. § 3161(h)(7)(A) and (B)(iv). The parties
7 further stipulate and agree that the ends of justice served by excluding the time from July 18, 2019
8 through September 23, 2019, from computation under the Speedy Trial Act outweigh the best interests
9 of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A), (B)(iv).

10 The undersigned Assistant United States Attorneys certify that they have obtained approval from
11 counsel for the defendant to file this stipulation and proposed order.

12
13 IT IS SO STIPULATED.

14 ALEX G. TSE
15 Attorney for the United States
16 Acting Under the Authority Conferred by 28 U.S.C.
§ 515

17 DATED: June 20, 2019

18 /s/
MICHELLE J. KANE
19 MATTHEW A. PARRELLA
Assistant United States Attorneys

20 DATED: June 20, 2019

21 /s/
DANIEL B. OLMOS
22 Counsel for Defendant JIZHONG CHEN
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[PROPOSED] ORDER

Based upon the facts set forth in the stipulation of the parties and for good cause shown, it is hereby ordered that the status conference now scheduled for July 18, 2019, is continued to September 23, 2019, at 1:30 p.m. Further, pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B)(iv), the Court finds that the ends of justice served in granting the continuance outweigh the best interests of the public and the defendant in a speedy trial and excludes time from July 18, 2019 through September 23, 2019, and that failing to grant the continuance would unreasonably deny defense counsel and the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv).

Therefore, and with the consent of the parties, IT IS HEREBY ORDERED that the status hearing be continued to September 23, 2019, and that the time from July 18, 2019 to September 23, 2019 shall be excluded from computation under the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A), (B)(iv).

IT IS SO ORDERED.

DATED: _____

HON. EDWARD J. DAVILA
United States District Judge